

FILED

JUL 12 2007

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NEBRASKA DEPARTMENT
OF INSURANCE

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
NEBRASKA LAND TITLE & ABSTRACT,)
)
RESPONDENT.)
)

CONSENT ORDER

CAUSE NO. A-1728

JUL 12, 2007 ACCT# B521 \$1,000.00
NO-INVOICE 234257 TRANS 1767334
NEBRASKA LAND TITLE & ABSTRACT
CHECK# 14213

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair and Nebraska Land Title & Abstract ("Respondent") mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44-101.01, 44-4047 et seq. and 44-19,106 et seq. (Reissue 2004).

2. Respondent was licensed as an insurance agency under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Nebraska Land Title & Abstract, and Susan Ellen Connor, Cause Number A-1728 on May 31, 2007. A copy of the petition was served upon the Respondents at the Respondents' address registered with the Department by certified mail, return receipt requested.

2. On or about July 3, 2007, the Department amended the petition pursuant to negotiations regarding the terms of this consent order. A copy of the amended petition was served upon the Counsel for Respondent, Douglas Ruge at 14769 California St. Omaha, NE 68154 by certified mail, return receipt requested.

3. Respondent violated Neb. Rev. Stat. § 44-4059(1)(h) (Reissue 2004) as a result of the following conduct:

On May 4, 2007, Respondent conducted a real estate closing for property located at 5603 South 20th Street, Omaha, Nebraska. In conducting this closing, Respondent violated Neb. Rev. Stat. §76-2,122(2)(a), as good funds were not available for disbursement at the time of the closing.

3. Respondent violated Neb. Rev. Stat. § 44-19,116 (Reissue 2004) as a result of the following conduct:

On May 4, 2007, Respondent conducted a real estate closing for property located at 5603 South 20th Street, Omaha, Nebraska. Respondent disbursed funds from an escrow, settlement, or closing account, prior to the receipt of all funds necessary to conduct the closing.

4. Respondent was informed of the right to a public hearing. Respondent waives that right, and enter into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

5. Respondent admits the allegations stated in Paragraphs 2 and 3.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059(1)(h) and 44-19,116 (Reissue 2004).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, Nebraska Land Title & Abstract, Inc., that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1000.00) due within 30 days after the Director of

Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required under this consent order, within the time specified, Respondent's Nebraska insurance agency license shall be automatically revoked. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signature below.

Janette L. Adair
Janette L. Adair, #22618
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

7-11-07
Date

Nebraska Land Title & Abstract
Respondent

By: [Signature]

Date

7/9/07

President

State of Nebraska)
County of Douglas) ss.

On this 9th day of July, 2007, Larry Meheux personally appeared before me on behalf of Nebraska Land Title & Abstract and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.

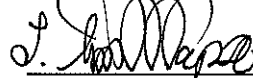


[Signature]
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance v. Nebraska Land Title & Abstract, Cause No. A-1728.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



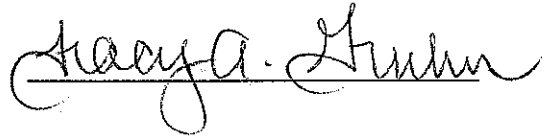
L. TIM WAGNER
Director of Insurance

7/12/07

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent's counsel, Douglas Ruge, by certified mail, return receipt requested, at 14769 California St. Omaha, NE 68154, on this 13th day of July, 2007.



RECEIVED

JUL 13 2007

STATE OF NEBRASKA